

1  
2  
3  
4  
5  
6 **UNITED STATES DISTRICT COURT**  
7 **SOUTHERN DISTRICT OF CALIFORNIA**

8 WILLIAM GOTSES,

9 Plaintiff,

10 vs.

11 MERRILL LYNCH AND CO., INC.;  
12 MERRILL LYNCH, PIERCE,  
13 FENNER & SMITH, INC.; BANK OF  
14 AMERICA CORPORATION; DOES  
1 through 20, inclusive,

Defendant.

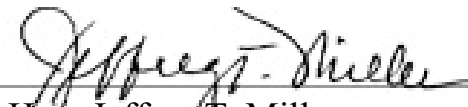
CASE NO. 13cv125 JM (DHB)

ORDER DISMISSING ACTION  
WITHOUT PREJUDICE

On August 25, 2014, the court held a hearing on the motion to withdraw by Plaintiff's counsel. At the hearing, the parties informed the court that the matter had been resolved. Based upon the resolution of this action in the manner described by counsel on the record, the court denies as moot the motion to withdraw by Plaintiff's counsel. Additionally, the court dismisses this action without prejudice and with the court reserving jurisdiction to reinstate the action *nunc pro tunc* to this date, August 25, 2014, upon *ex parte* application from any party and for good cause. It is contemplated by the parties that the matter will be finally resolved within a finite period of time, described by counsel as no more than 20 days from the date of this order. Accordingly, the parties shall file a final dismissal of the action with prejudice no later than 20 days from today.

25 **IT IS SO ORDERED.**

26 DATED: August 25, 2014

27   
28 Hon. Jeffrey T. Miller  
United States District Judge